

considering the circumstances of the case, passed such a sentence is rather not proper. You must have a more sympathetic view of the Government, and have a strong impression that the Government will approach such matters in the proper way.

Mr. M. K. Raman.—I am having a very reasonable view of things. When a petition is put in by an ordinary man that he is going to be belaboured or put an end to—there are hundreds of cases like that—so prompt an action is not taken, and so immediately the men are not arrested.

President.—It was that Kesava Panikkar, the Head Typist?

Mr. A. K. Vengu Ayyar.—Yes, Sir.

President.—He was there. He had the opportunity of putting the paper before the Secretary to the Diwan who sent it to me.

Mr. M. K. Raman.—That is exactly my point.

Mr. A. K. Vengu Ayyar.—Even in other cases we do not delay action in such matters.

President.—The proper thing for you, if there has been any miscarriage of justice in the matter of conviction or sentence, is to go to the appellate court.

Mr. M. K. Raman.—They are extremely poor, and they were unable to do that. There is another fact also to be noted in this connection. In the petition put in before the Diwan, he scrupulously omitted the motive for the occurrence. In the complaint before the Magistrate he says, on the previous day there was an altercation because of the pollution quarrel. When it comes before the Diwan, he avoids that.

The number of cases charged under section 303 or 304 of the Penal Code in the Second Class Magistrate's Court, Ernakulam.

451. Mr. M. K. Raman.—Will the Government be pleased to furnish a statement to the Council showing the following particulars.—

1. the number of cases filed in the second Class Magistrate's Court of Ernakulam for the offences of hurt, under section 303 or 304 of the Cochin Penal Code, from the beginning of the year 1901 up to the end of the year ;

2. the number of such cases acquitted or discharged and the castes of the complainants and each of the accused in the above cases and the motive alleged for the assaults ;

3. the number of such cases that ended in conviction, the castes of the complainants and each of the accused and the motive for the occurrence and the respective punishments awarded in each case ;

4. the Vakil or Vakils who appeared and conducted the cases on either side?

Mr. A. K. Vengu Ayyar.—1, 2, 3 and 4. Vide the statement placed on the Council Secretary's table.

Sub-Magistrate Mr. P. Govindan Nayar.

452. Mr. M. K. Raman.—Will the Government be pleased to state:—

has the District Magistrate or the Diwan received any complaints that the Sub-Magistrate of Ernakulam, Mr. P. Govindan Nayar, is often staying as a guest in the house of his neighbour, Mr. Kakathparambil Raman Menon, a Criminal Vakil practising in his court, and that Mr. Govindan Nayar is treating this Criminal Vakil as a special favourite of his in the exercise of his magisterial functions;

if the answer is in the affirmative, how many such petitions were signed, and what was the number of signatories in each?

Mr. A. K. Vengu Ayyar.—No.

453. Mr. M. K. Raman.—Will the Government be pleased to state:—

in the time of the Diwanship of Mr. (now Sir) T. Vijayagharavachariar, was there any complaint against this Magistrate, Mr. P. Govindan Nayar, that he is showing communal partialities, favouring his own communities and ill-treating members of the Ezhuva communities;

was any explanation taken from Mr. P. Govindan Nayar in that connection; how has that matter been disposed?

Mr. A. K. Vengu Ayyar.—A petition was received in connection with the Thanisseri riot.

No explanation was taken. On perusing the judgment of the District Magistrate, the Diwan found that the Magistrate was not to blame.

454. Mr. M. K. Raman.—Will the Government be pleased to state:—

1. how many petitions were received by the District Magistrate, the Diwan and His Highness the Maharaja against Mr. P. Govindan Nayar regarding his misconduct and partiality, etc., while he was the Magistrate of Cranganur; was any action taken upon those petitions; what was the cause of his transfer from Cranganur;

2. how many similar petitions were received against him by the Diwan and the District Magistrate and His Highness the Maharaja while he was the Sub-Magistrate of Irinjalakkuda; was any action taken upon them; if so, with what result;

3. how many petitions have been received, and on the whole, how many persons have complained about Mr. P. Govindan Nayar from the beginning of his career as Sub-Magistrate up to now;